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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

MARIA MAGDALENA OLARTE,  
individually and as personal representative of  
the Estate of LANCE MACLEAN, deceased,

Plaintiffs,

vs.

THEODORE M. NEALE, a California resident  
and citizen, SERGEY BRIN, a California  
citizen, BAYSHORE GLOBAL  
MANAGEMENT LLC, a California limited  
liability company, GOOGLE LLC, a California  
limited liability company, SEAFLY LLC, a  
California limited liability company,  
SOUTHERN CROSS AVIATION INC., and  
DOES 1 to 50, inclusive,

Defendants.

Case No.: 3:24-cv-2021-AMO

**STIPULATION AND ORDER ON  
BRIEFING ON OPPOSITION AND  
REPLY FOR DEFENDANTS  
BAYSHORE GLOBAL MANAGEMENT  
LLC, SEAFLY LLC, SERGEY BRIN  
AND THEODORE M. NEAL'S MOTION  
TO DISMISS \*As Modified\***

**Hearing Date: August 22, 2024  
Time: 2:00 p.m.  
Place: Courtroom 10 – 19<sup>th</sup> Floor**

**STIPULATION**

MARIA MAGDALENA OLARTE, individually and as personal representative of the Estate of LANCE MACLEAN, deceased, (“Plaintiff”) and Defendants Bayshore Global Management LLC, SeaFly LLC, Sergey Brin and Theodore Neal (“Defendants”), together, the “Parties”) by and through their undersigned counsel of record, hereby stipulate as follows:

WHEREAS, Plaintiff filed this action in the Superior Court for the County of Santa Clara, and

WHEREAS, the Complaint was amended on February 13, 2024, and

WHEREAS, certain Defendants removed the action to this Court on April 3, 2024. Dkt. #1;

WHEREAS, Defendants filed their Motion to Dismiss on April 10, 2024. Dkt. #12. The hearing date for the Motion is scheduled for August 22, 2024;

WHEREAS, the Local Rules provide that the date for Plaintiff to file her Opposition is April 24, 2024, and the date for Defendants to file their Reply is May 1, 2024. Dkt. #12.

WHEREAS, Plaintiff has requested of Defendants and Defendants have agreed to extend their respective briefing deadlines by an additional two weeks for Plaintiff and an additional one week (from the new Opposition deadline) for Defendants;

WHEREAS, no Party will be prejudiced by this stipulated-to extension;

WHEREAS, Defendants are providing written consent for Plaintiff to this extension by way of this Stipulation;

NOW THEREFORE, the Parties hereby stipulate that the deadlines for the Opposition and Reply in regard to the Motion to Dismiss (Dkt #12) shall be:


- Opposition to Motion due date: May 8, 2024
- Reply due date: May 22, 2024

SO STIPULATED

Dated: April 24, 2024


ENGSTROM, LIPSCOMB & LACK

By

  
WALTER J. LACK  
ELIZABETH L. CROOKE  
STEVEN J. LIPSCOMB  
Attorneys for Plaintiff

1 Dated: April 24, 2024

PODHURST ORSECK, P.A.

2  
3 By   
4 STEVEN C. MARKS  
5 KRISTINA M. INFANTE  
6 PABLO ROJAS  
7 Attorneys for Plaintiff

8  
9 Dated: April 24, 2024

CONDON & FORSYTH LLP

10 By: /s/ Christopher R. Christensen  
11 SCOTT D. CUNNINGHAM  
12 IVY L. NOWINSKI  
13 CHRISTOPHER P. CHRISTENSEN  
14 MARY DOW  
15 Attorneys for Defendants Bayshore Global  
16 Management LLC, SeaFly LLC, Sergey Brin and  
17 Theodore M. Neal

18  
19 **ORDER \*AS MODIFIED\***

20 The deadlines for the Opposition and Reply in regard to the Motion to Dismiss (Dkt #12)  
21 shall be:


- 22 • Opposition to Motion due date: May 8, 2024
- 23 • Reply due date: May 22, 2024

24 Counsel is advised that future requests for extensions must comply with Civil Local Rule  
25 6-2 or 6-3 as appropriate and be filed at least seven days of the deadline sought to be extended.

26 The Court may summarily deny non-compliant or untimely requests.

27 **IT IS SO ORDERED.**

28 Dated: April 24, 2024

  
ARACELI MARTÍNEZ-OLGUÍN  
United States District Judge